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Counsel for Defendant ZUNIGA-VASQUEZ

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

CARLOS ZUNIGA-VASQUEZ,  
Defendant.

) 05-0677 MHP  
) No. CR 3-05-71017-EDL

) **STIPULATION AND [PROPOSED]**  
) **ORDER CONTINUING BAIL**  
) **HEARING**

) Date: January 31, 2006  
) Time: 9:30 a.m.  
) Court: The Honorable Joseph C.  
) Spero

STIPULATION

The parties agree to continue the bail hearing in the above-captioned matter from January 31, 2006 until February 6, 2006 at 9:30 a.m. The purpose of the continuance is due to the request of Mr. Zuniga-Vasquez, who intends to waive a bail hearing and findings on the record at the February 6 appearance. Mr. Zuniga-Vasquez has an ICE detainer and a state hold, as he is currently serving a state sentence at San Quentin. Due to the fact that Mr. Zuniga-Vasquez will not be released from custody during the pendency of this case, the short continuance will not prejudice him.

Assistant United States Attorney Joseph A. Fazioli has no objection to the request for a continuance. Pursuant to 18 U.S.C. § 3142(f), the parties jointly request this Court to find that good cause exists for extending the five-day period of time permitted by law for a bail hearing due to the fact that defendant Zuniga-Vasquez has an ICE detainer and a state hold against his person and

1 will not ultimately seek release from custody on this case.

2  
3 IT IS SO STIPULATED

4  
5 DATED: \_\_\_\_\_/S/\_\_\_\_\_  
6 ELIZABETH M. FALK  
Assistant Federal Public Defender

7  
8 DATED: \_\_\_\_\_/S/\_\_\_\_\_  
9 JOSEPH A. FAZIOLI  
Assistant United States Attorney

10 I hereby attest that I have on file al holograph signatures for any signatures indicated by a  
11 “conformed” signature (/S/) within this e-filed document.

12  
13 ~~[PROPOSED]~~ ORDER

14 Based upon the aforementioned representations of the parties, and for good cause shown as  
15 required under 18 U.S.C. § 3142(f), it is hereby ORDERED that the bail hearing in this matter be  
16 continued from January 31, 2006 to February 6, 2006 at 9:30 a.m.

17 DATED: Jan. 30, 2006

18   
19 THE HONORABLE JOSEPH C. SPERO  
UNITED STATES MAGISTRATE COURT JUDGE